

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 951102- D

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS:

TRACT 1: LOT 1, BLOCK E, NORTH LOOP BUSINESS PARK SUBDIVISION, SECTION TWO, ~~SAVE AND EXCEPT THE LAND DESCRIBED BELOW AS TRACT 2 CONTAINING APPROXIMATELY 66,186 SQUARE FEET OF LAND~~, FROM "LO" LIMITED OFFICE DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 66,186 SQUARE FOOT TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19, FROM "LO" LIMITED OFFICE DISTRICT TO "RR" RURAL RESIDENCE DISTRICT,

LOCALLY KNOWN AS 3000 DUVAL ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-95-0103, as follows:

Tract 1: From "LO" Limited Office district to "GR-CO" Community Commercial district-Conditional Overlay combining district.

Lot 1, Block E, North Loop Business Park Subdivision, Section Two, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 84, Page 108-D, 109A, and 109B, of the Plat Records of Travis County, Texas, Save and Except the land described below as Tract 2 containing approximately 66,186 square feet of land.

Tract 2: From "LO" Limited Office district to "RR" Rural Residence district.

66,186 square foot tract of land out of the James Rogers Survey No. 19, said 66,186 square foot tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

*[hereinafter referred to as the "Property"]*

locally known as 3000 Duval Road, in the City of Austin, Travis County, Texas.

PART 2. That the Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Notwithstanding any other provision of the Land Development Code applicable to Tract 1 on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of Tract 1, or any portion of Tract 1, shall be approved or released, and no building permit for construction of a building on Tract 1, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of Tract 1, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.
2. Development of Tract 1 shall conform to the site development regulations authorized for the "LO" Limited Office district as set forth in Sec. 13-2-630 of the Land Development Code of the Austin City Code.

CITY OF AUSTIN, TEXAS

3. The following uses shall be prohibited on Tract 1:

- |   |   |
|---|---|
| (a) Automotive rentals,                           | (p) General retail sales (general),     |
| (b) Automotive repair services,                   | (q) General retail sales (convenience), |
| (c) Automotive sales,                             | (r) Indoor entertainment,               |
| (d) Automotive washing (automatic or mechanical), | (s) Indoor sports and recreation,       |
| (e) Automotive washing (self service),            | (t) Off-site accessory parking,         |
| (f) Business or trade school,                     | (u) Outdoor entertainment,              |
| (g) Business support services,                    | (v) Outdoor sports and recreation,      |
| (h) Commercial off-street parking,                | (w) Pawn shop services,                 |
| (i) Consumer repair services,                     | (x) Personal services,                  |
| (j) Consumer convenience services,                | (y) Personal improvement services,      |
| (k) Drop-Off Recycling Collection Facility,       | (z) Pet services,                       |
| (l) Exterminating services,                       | (aa) Research services,                 |
| (m) Financial services,                           | (bb) Restaurant (drive-in, fast food),  |
| (n) Food sales,                                   | (cc) Service station,                   |
| (o) Funeral services,                             | (dd) Theater,                           |
|   | (ee) Hospital services (general), and,  |
|   | (ff) Hospital services (limited).       |

Except as specifically restricted by this ordinance, the property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

November 2, 1995

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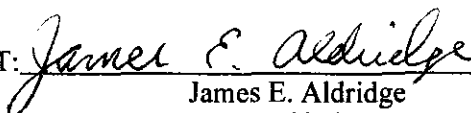
Bruce Todd  
Mayor

APPROVED:



Andrew Martin  
City Attorney

ATTEST:



James E. Aldridge  
City Clerk

2Nov95  
ME/jj

FIELD NOTES  
FOR

DRAINAGE EASEMENT - 66,186 SQUARE FEET

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN DRAINAGE EASEMENT LOCATED ON LOT 1, BLOCK E, NORTH LOOP BUSINESS PARK SECTION TWO, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS RECORDED IN PLAT BOOK 84, PAGES 108D, 109A AND 109B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found at the most Westerly corner of the said Lot 1, Block E, being the most Westerly corner of the said easement, being in the North r.o.w. line of Duval Road, for the most Westerly corner and PLACE OF BEGINNING hereof;

THENCE along the Northwest line of the said Lot 1, Block E, being along the North r.o.w. line of Duval Road, N 33°47' E for a distance of 10.76 feet to an 'X' found cut in concrete at the most Southerly corner of Balcones District Park as conveyed to the City of Austin by instrument recorded in Volume 6777, Page 596 of the Deed Records of Travis County, Texas, being in the approximate centerline of Walnut Creek;

THENCE continuing along the Northwest line of the said Lot 1, Block E, being the Northerly line of the said easement, being along the approximate centerline of Walnut Creek, for the following courses:

N 35°39' E for a distance of 108.40 feet to a 1/2 inch iron pin found

N 65°17' E for a distance of 361.91 feet to a 1/2 inch iron pin found

N 52°17' E for a distance of 263.97 feet to a 1/2 inch iron pin found

N 79°47' E for a distance of 163.87 feet to a 1/2 inch iron pin found at the most Northerly Northeast corner of the said Lot 1, Block E;

THENCE along the Northeast line of the said Lot 1, Block E and continuing along the Northerly line of the said easement, S 64°34' E for a distance of 34.31 feet to the most Easterly corner of the said easement, for the most Easterly corner hereof;

FIELD NOTES  
FOR

DRAINAGE EASEMENT - 66,186 SQUARE FEET - Page Two

THENCE along the Southerly line of the said easement for the following courses:

S 41°55' W for a distance of 71.45 feet to an angle point

S 68°50' W for a distance of 117.53 feet to an angle point

S 78°48' W for a distance of 79.87 feet to an angle point

S 52°17' W for a distance of 176.10 feet to an angle point

S 65°17' W for a distance of 32.98 feet to an angle point

S 52°08' W for a distance of 387.59 feet to a point in the Southerly line of the said Lot 1, Block E, being in the North r.o.w. line of Duval Road;

THENCE along the Southerly line of the said Lot 1, Block E, being along the North r.o.w. line of Duval Road, along a curve to the right whose radius is 476.05 feet, whose arc is 99.70 feet and whose chord bears N 62°13' W for a distance of 99.52 feet to the PLACE OF BEGINNING and containing 66,186 square feet of land, more or less.

AS SURVEYED BY:  
ROY D. SMITH SURVEYORS, P.C.

*Roy D. Smith*  
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR  
September 25, 1995



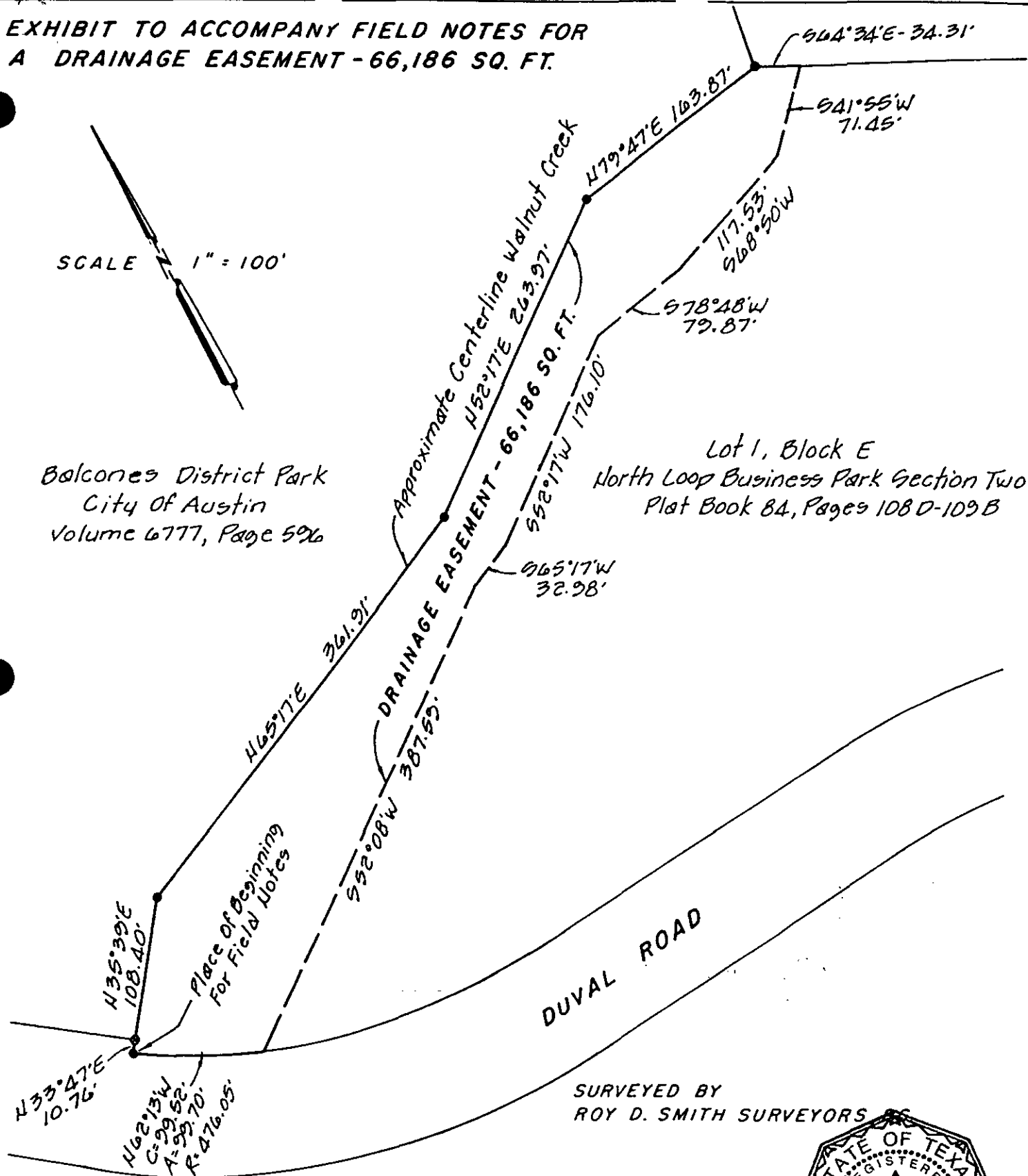
Job No. 1162-85

EXHIBIT TO ACCOMPANY FIELD NOTES FOR  
A DRAINAGE EASEMENT - 66,186 SQ. FT.

SCALE 1" = 100'

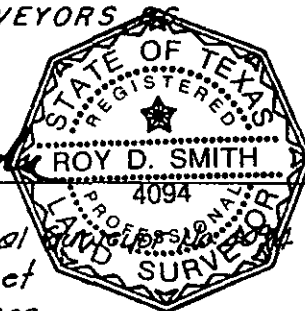
Balcones District Park  
City of Austin  
Volume 6777, Page 596

Lot 1, Block E  
North Loop Business Park Section Two  
Plat Book 84, Pages 108 D-109 B



SURVEYED BY  
ROY D. SMITH SURVEYORS

*Roy D. Smith*  
ROY D. SMITH  
Registered Professional  
1214 West 5th Street  
Austin, Texas 78703  
September 25, 1995



PO#: 951102-D

Ad ID#: B9QZ00800

Acct #: 4992499

**Austin American-Statesman**

Acct. Name: City Clerk

**AFFIDAVIT OF PUBLICATION**

THE STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Sharon Janak

Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

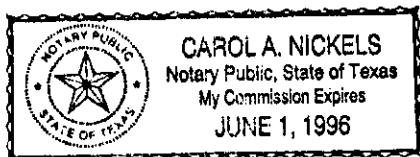
Date (s): November 10th, 1995

Class: 9980 Lines: 31 Cost: \$69.44

and that the attached is a true copy of said advertisement.

Sharon Janak

SWORN AND SUBSCRIBED TO BEFORE ME, this the 10th day of Nov, 1995.



Carol A. Nickels  
Notary Public in and for  
TRAVIS COUNTY, TEXAS

Carol A. Nickels  
(Type or Print Name of Notary)

My Commission Expires: 6/1/96

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MAYOR BRUCE TODD  
AUSTIN, TEXAS